

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) JAY PROVO

Plaintiff,

vs.

Case No.: CIV-17-57-D

(1) BOLT EXPRESS, LLC., and
(2) ELIAS EL-CHAAR

Defendants.

NOTICE OF REMOVAL BY DEFENDANT BOLT EXPRESS, LLC

COMES NOW Defendant, Bolt Express, LLC, (hereinafter “Defendant”), and pursuant to 28 U.S.C. §§ 1332 and 1441, submit this Notice of Removal with respect to Case No. CJ-2016-6465 in the District Court of Oklahoma County, State of Oklahoma. In support of this notice, Defendant respectfully states the following:

1. On December 19, 2016, Plaintiff filed a Petition entitled Jay Provo, Plaintiff, vs. Bolt Express, LLC, and Elias El-Chaar, Defendants, in the District Court of Oklahoma County, State of Oklahoma, Case No. CJ-2016-6465.

2. Defendant, Bolt Express, LLC was served with Plaintiff’s Petition and summons either on December 27, 2016, or January 4, 2017. In either event, Defendant’s answer in the Oklahoma District Court and this Notice of Removal are timely.

3. Upon information and belief, Mr. El-Chaar has not been served with process as of the date of this filing.

4. This Notice of Removal is timely filed pursuant to 28 U.S.C. § 1446(b), in that it is being filed within thirty (30) days of service upon Defendants.

5. Plaintiff is a citizen of Oklahoma.

6. Defendant, Bolt Express, L.L.C., is a limited liability company formed under the laws of Ohio with its principal place of business in Toledo, Ohio. The members of Bolt Express, L.L.C. are as follows: 1) Benjamin Bauman, and 2) Elizabeth Bauman.

7. Benjamin Bauman and Elizabeth Bauman are citizens of Florida.

8. Defendant, Elias El-Chaar, is a citizen of Michigan.

9. Damages set forth in the prayer for relief in Plaintiff's Amended Petition make it clear the amount in controversy is satisfied pursuant to 28 U.S.C. § 1332(a). Removal to the this Court is therefore proper under 28 U.S.C. § 1441.

10. Copies of all process, pleadings, and orders filed or served upon Defendants in this action are attached hereto as Exhibit 1 and Exhibit 2, pursuant to 28 U.S.C. § 1446(a). Pursuant to LCvR 81.2(a), a copy of the State Court docket sheet is attached hereto as Exhibit 3.

11. Written notice of the filing of this Notice of Removal will be promptly given to Plaintiff together with a copy of the Notice of Removal and supporting papers, and will be promptly filed with the Clerk of the District Court of Oklahoma County, State of Oklahoma, as required by 28 U.S.C. § 1446(d).

DATED: January 18, 2017.

Respectfully Submitted,

s/ Bart Jay Robey
Bart Jay Robey, OBA No. 19926
Eric A. Moen, OBA No. 31155
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I do hereby certify that on the 18th day of January, 2017, the foregoing document was served upon counsel of record set forth below via the Court's electronic notification system, electronic mail, and/or regular mail to the following:

Lori Combs
The Combs Law Center
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Attorney for Plaintiff

s/ Bart Jay Robey_____